



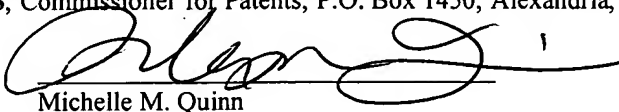
DOCKET NO.: H0535.70013US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Green et al.
Serial No.: 10/031,833
Confirmation No.: 5763
Filed: June 10, 2002
For: LINKAGE OF AGENTS TO TISSUE
Examiner: David M. Naff
Art Unit: 1651

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **MAIL STOP PETITIONS**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 4, 2005.


Michelle M. Quinn

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:


Transmitted herewith are the following documents:

- Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181
- Copy of Notice of Abandonment
- Docket Record
- Mail Log Listing
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully Submitted,


Janice A. Vatland, Reg. No. 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 646-8000

Docket No.: H0535.70013US00
Date: February 4, 2005
xNDD



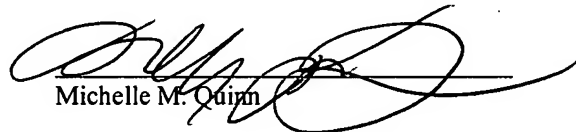
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Michelle M. Quinn

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

UNDER 37 C.F.R. § 1.181

Applicant hereby petitions that the holding of abandonment of the above-identified patent application be withdrawn, under 37 C.F.R. § 1.181. A copy of the Notice of Abandonment is enclosed.

The Notice of Abandonment is based on an alleged failure to reply to the Office Communication mailed on June 17, 2004. Applicant's representative asserts that it did not receive the Office Communication and attests a search of the file jacket and docket record for this application indicates that the Office Communication was not received. A copy of the docket record where the Office Communication, if it had been received and docketed, would have been entered is attached hereto. The docket record shows no indication that the Office Communication of June 17, 2004 was received. In addition, the docket record reflects that the last docket entries, prior to receiving the Notice of Abandonment, made in response to an Office Communication from the United States Patent and Trademark Office (USPTO), which required

Serial No.: 10/031,833
Conf. No.: 5763

- 2 -

Art Unit: 1651

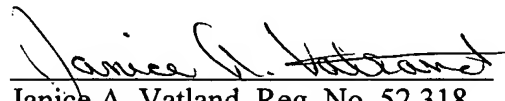
Applicant's response, were for filing a response to a Notification of Missing Requirements. This Notification was mailed from the USPTO on May 1, 2002 and a response was timely filed on May 31, 2002. Also enclosed is a mail log listing all mail received by Applicant's representative that was mailed from the USPTO on June 17, 2004.

Applicant's representative received a phone call from the Examiner for this application on December 22, 2004 just prior to receiving this Notice of Abandonment. Therefore, Applicant's representative first became aware of the Abandonment on December 22, 2004.

Applicant respectfully requests that the Petition to Withdraw the holding of Abandonment be granted. Applicant does not believe that this petition requires a fee (see MPEP 711.03(c) (I)). Accordingly, no such fee is included. In the event it is determined that such fee is due, Applicant's representative authorizes that the fee be charged to Deposit Account No. 23/2825.

Should there be any questions or if this petition does not place this application in condition for revival, Applicant urges the Office of Petitions to call Janice A. Vatland at telephone no. (617) 646-8000.

Respectfully Submitted,



Janice A. Vatland, Reg. No. 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 646-8000

Docket No.: H0535.70013US00
Date: February 4, 2005
xNDD



Country Application

03-Feb-2005 Page: 1

Case Number: H0535.70013US

SubCase: 00

Client: Pericor Science, Inc.

Paid By CPI: ☒

Title: LINKAGE OF AGENTS TO TISSUE

Mail

Responsible Parties: ERG

☐

Responsible Department

Non-Publication Requested

MAT

☐

AYS

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JAV

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IFD

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PracticeGroup: Biotech

Application Status: Pending

Case Type: ORD

Status Date: 22-Jul-1999

Application Number: 10/031833

Filing Date: 22-Jul-1999

Publication Number:

Publication Date:

Patent Number:

Issue Date:

Parent or PCT Number:

Parent or PCT Date :

Parent Patent Number:

Parent Issue Date :

Tax Schedule: SE

Expiration Date:

Confirmation Number: 5763

Patent Term Adjustment: 0

Agent:

Agent Reference #:

Client Reference #:

Country Application

03-Feb-2005 Page: 2

List Of Actions

Action(s) Due	Due Date	Indicator	Action Taken
Subject to PTA - Filed on/after 05/29/00	10-Jun-2002	Due Date	
File Missing Requirements (4 Extensions Possible)	01-Jul-2002	Due Date	02-Jun-2002
File Missing Requirements With One Month Ext (1 of 4)	01-Aug-2002	Due Date	02-Jun-2002
File Missing Requirements With Two Month Ext (2 of 4)	01-Sep-2002	Due Date	02-Jun-2002
File Missing Requirements With Three Month Ext (3 of 4)	01-Oct-2002	Due Date	02-Jun-2002
File Missing Requirements With Four Month Ext (4 of 4)	01-Nov-2002	FINAL	02-Jun-2002
New Office Action Not Received - Send Status Letter	30-Nov-2002	Due Date	
Recorded Assignment Received?	13-Dec-2002	Due Date	14-Jun-2002
Advise Client - Foreign/PCT Filing (8M)	10-Feb-2003	Due Date	19-Mar-2003
Convert to Provisional? (8M)	10-Feb-2003	Due Date	25-Mar-2003
Recorded Assignment Received?	28-Feb-2003	Due Date	13-Aug-2002
Convert to Provisional? (10M)	10-Apr-2003	Due Date	
Foreign/PCT Filing Due In Two Months (10M)	10-Apr-2003	Due Date	19-Mar-2003
Convert to Provisional? (11M)	10-May-2003	Due Date	
Foreign/PCT Filing Due In One Month (11M)	10-May-2003	Due Date	19-Mar-2003
Convert to Provisional? (12M) NO EXT	10-Jun-2003	FINAL	
File Foreign/PCT Applications (12M) NO EXT	10-Jun-2003	FINAL	11-Jun-2003
1st Office Action Not Rec'd-Send Status Letter(14M10D)	20-Aug-2003	Due Date	
Revive Abandoned Application?	27-Jan-2005	Due Date	

Added By: KMK

Date Created: 15-Jan-2002

User ID: JVatland

Last Update: 03-Feb-2005

Date Received	MailingDate	Email	Fax	CaseNumber	Resp. Part	Country	SubCase	OldAtty2	MailReci	RespAtty2	Added By:	User ID:	Date Created:	Last Update:	Status
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Date Received	MailingDate	Email	Fax	CaseNumber	Resp. Part	Country	SubCase	OldAtty2	MailReci	RespAtty2	Added By	User ID	Date Created	Last Update	Status
02-Jul-2004	17-Jun-2004	<input type="checkbox"/>	<input type="checkbox"/>	S1022.81108	JHM	US	00				stowne	stowne	02-Jul-2004	02-Jul-2004	Pending
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02-Jul-2004	17-Jun-2004	<input type="checkbox"/>	<input type="checkbox"/>	S1022.81064	JHM	US	00				stowne	stowne	02-Jul-2004	02-Jul-2004	Pending
02-Jul-2004	17-Jun-2004	<input type="checkbox"/>	<input type="checkbox"/>	R0136.70015	GLG	US	00	SZP			stowne	stowne	02-Jul-2004	02-Jul-2004	Pending
02-Jul-2004	17-Jun-2004	<input type="checkbox"/>	<input type="checkbox"/>	S1022.80777	JHM	US	00				stowne	stowne	02-Jul-2004	02-Jul-2004	Pending
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

JAV

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,833	06/10/2002	Howard Green	H0535/7013	5763

23628 7590 12/27/2004

WOLF GREENFIELD & SACKS, PC
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210-2211

EXAMINER

NAFF, DAVID M

ART UNIT PAPER NUMBER

1651

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

H0535.70013US00

Confirmation	<input type="checkbox"/>	Initials
Docketing	<input checked="" type="checkbox"/>	16

01/29/05

ERG/MAT
DOCKETED
JAN 03 2005

FEB 07 2005

Notice of Abandonment

Application No.

10/031,833

Examiner

David M. Naff

Applicant(s)

GREEN ET AL.

Art Unit

1651

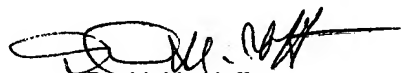
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 17 June 2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☒ The reason(s) below:

An associate of applicants' representative indicated by telephone on 12/22/04 that response not filed since office action had not been received. Examiner indicated that since mailing address is found to be correct, applicants will need to petition to revive application.



David M. Naff
Primary Examiner
Art Unit: 1651

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.